

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SHOMARI STATEN, §
§
Plaintiff, §
§
v. § Civil Action No. **3:19-CV-843-L-BN**
§
CITY OF DALLAS; THE DALLAS §
POLICE DEPARTMENT; BRYAN §
RODEN; WILLIAM MCDONALD; §
LEQUITA GARRETT; TU NGUYEN; §
JERRY THOMPSON; RYAN LOWMAN; §
BOZ ROJAS; DAN COLLINS; §
ED ANAYA; GREG FREGEAU; §
JOSHUA SHIPP; JERRI ROWE; and §
NICHOLAS STOLARZYK, §
§
Defendants. §

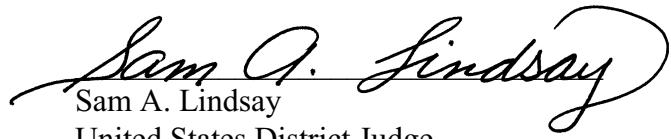
ORDER

On July 21, 2021, the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) (Doc. 71) was entered, recommending that the court grant the Motion for Summary Judgment Based on Qualified Immunity (Doc. 51), filed on June 26, 2021, by Officers Ryan Lowman, Tu Nguyen, and Jerry Thompson.¹ The magistrate judge further recommended that the claims against these Defendants be dismissed with prejudice. No objections to the Report were filed within 14 days after the date of the Report as allowed by Federal Rule of Civil Procedure 72(b)(2) and 28 U.S.C. § 636(b)(1)(C).

¹ Except for the City of Dallas, all other Defendants in this action have been dismissed via separate orders or agreement. *See* Docs. 22, 47, 50, 51.

Having considered the motion, summary judgment record, file, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **grants** the Motion for Summary Judgment Based on Qualified Immunity (Doc. 51) and **dismisses with prejudice** all claims by Plaintiff against Officers Lowman, Nguyen, and Thompson.² As a result of this order, only Plaintiff's claims against the City of Dallas alleged in Plaintiff's Second Amended Complaint (Doc. 28) remain.

It is so ordered this 11th day of August, 2021.



Sam A. Lindsay
United States District Judge

² Pursuant to 42 U.S.C. § 1983, Plaintiff sued Officers Lowman, Nguyen, and Thompson for unlawful seizure of a person and excessive force. Plaintiff also asserted a retaliation claim under section 1983 against Officers Thompson and Lowman.

